

## § 1001.2

Temporary Authority for Motor and Water Carriers, which are filed in a Regional Office until a petition for reconsideration is ripe for decision.

(e) File and index of instruments or documents recorded pursuant to 49 U.S.C 11303.

(f) ICC Manual—Administration.

(5 U.S.C. 553; 49 U.S.C. 10301, 10303)

[46 FR 54948, Nov. 5, 1981, as amended at 57 FR 24381, June 9, 1992]

### **§ 1001.2 Records available at the Commission's regional and detached offices.**

Copies of certain rate schedules, tariffs, reports and operating authorities filed by and applicable to motor and water carriers and household goods freight forwarders, and docket files in matters arising under 49 U.S.C. 10928 are available for inspection at field offices whose locations are set forth in the appendix in this part. These records are available upon reasonable request during its regular business hours, Monday through Friday. Records not available at the field offices may be obtained and inspected in accordance with the provisions of § 1001.1.

[45 FR 3583, Jan. 18, 1980, as amended at 51 FR 44297, Dec. 9, 1986]

### **§ 1001.3 Records available at the Federal Maritime Commission.**

Copies of international joint ocean-motor through-rate tariffs filed with the Commission will not be retained past the expiration of the notice period. These tariffs are also filed with the Federal Maritime Commission (FMC) and are available to the public at the FMC's Washington, DC office for inspection, in either paper or microfiche form, during its regular business hours.

[57 FR 24381, June 9, 1992]

### **§ 1001.4 Certified copies of records, etc.**

Copies of and extracts from public records will be certified by the Secretary, under the seal of the Commission. Persons requesting the Commission to prepare such copies should clearly state the material to be copied, and whether it shall be certified.

## 49 CFR Ch. X (10–1–96 Edition)

Charges will be made for certification and for the preparation of copies as provided in part 1002 of this chapter.

[32 FR 20008, Dec. 20, 1967. Redesignated at 57 FR 24381, June 9, 1992]

### **§ 1001.5 Requests to inspect other records not considered public under 5 U.S.C. 552.**

Requests to inspect records other than those now deemed to be of a public nature shall be in writing and addressed to the Freedom of Information Officer. The Freedom of Information Officer shall determine within 10 days of receipt of a request (excepting Saturdays, Sundays, and legal public holidays) whether a requested record will be made available. If the Freedom of Information Officer determines that a request cannot be honored, he must inform the requesting party in writing of this decision and such letter shall contain a detailed explanation of why the requested material cannot be made available and explain to the requesting party his or her right of appeal. If the Freedom of Information Officer rules that such records cannot be made available because they are exempt under the provisions of 5 U.S.C. 552(b), an appeal from such ruling may be addressed to the Chairman. The Chairman's decision shall be administratively final and state the specific exemption(s) contained in 5 U.S.C. 552(b) relied upon for denial. Such an appeal must be filed within 30 days of the date of the Freedom of Information Officer's letter. The Chairman shall act in writing on such appeals within 20 days (excepting Saturdays, Sundays, and legal public holidays) of receipt of any appeal. In unusual circumstances, as set forth in 5 U.S.C. 552(a)(6)(B), the time limit may be extended, by written notice to the person making the particular request, setting forth the reasons for such extension, for no more than 10 working days. If the appeal is denied, the Chairman's order shall notify the requesting party of his or her right to judicial review. Charges shall be made as provided for in § 1002.1(f) of this chapter.

[53 FR 23399, June 22, 1988. Redesignated at 57 FR 24381, June 9, 1992]